

STATEMENT OF BASIS (AI No. 31070)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0088170 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Creole Fermentation Industries, Inc.
7331 Ben Frederick Rd.
Abbeville, LA 70510

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Kelli Hamilton

DATE PREPARED: July 23, 2008

1. PERMIT STATUS

A. Reason For Permit Action:

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permit - LPDES permit effective date: December 1, 2003
LPDES permit expiration date: November 30, 2008

C. Date Application Received: June 5, 2008

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - vinegar manufacturing facility

~~The facility manufactures approximately six million gallons of white~~
distilled 12% vinegar in aerobic bioreactors that convert ethyl alcohol into acetic acid biologically through an exothermic (heat producing) reaction. Four onsite water wells pump groundwater through cooling coils within the bioreactors to remove resulting heat. Sanitary wastewater is routed to absorption fields.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: I
4. SIC code: 2099

C. LOCATION - 7331 Ben Frederick Rd. in Abbeville, Vermilion Parish
Latitude 29°59'54", Longitude 92°05'55"

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: once through non-contact cooling water
Treatment: none
Location: at the point of discharge from the effluent pipe
Flow: 720,000 GPD
Discharge Route: unnamed ditch, thence into Valcourt Coulee, thence into the Vermilion River

4. RECEIVING WATERS

STREAM - unnamed ditch, thence into Valcourt Coulee, thence into the Vermilion River

BASIN AND SEGMENT - Vermilion-Teche River Basin, Segment 060802

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
f. agriculture

5. TMDL WATERBODIES

Subsegment 060802, Vermilion River - From LA -3073 bridge to ICWW, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 060802 was previously listed as impaired for phosphorus, nitrogen, organic enrichment/low DO, suspended solids/turbidity/siltation, pathogen indicators, and carbofuran, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 060802:

Carbofuran

The TMDL for Carbofuran in the Mermentau and Vermilion Teche River Basins was final on March 21, 2002. No allocation was given to point source discharges in the Vermilion Teche River Basin. According to the TMDL, there is only one point source in the Vermilion Teche (FMC Corp. LA0064360) but it does not discharge Carbofuran. In addition, this facility has no potential to discharge Carbofuran. Therefore, requirements for Carbofuran will not be placed in this permit.

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Nitrogen and Organic Enrichment/Low DO

EPA's Vermilion River TMDLs for Dissolved Oxygen and Nitrogen, was final on April 5, 2001. No allocation was given to point source discharges in the Vermilion Teche River Basin. Once through non-contact cooling water discharges from this facility do not have the potential to discharge pollutants that may contribute to the Organic Enrichment/Low DO and Nitrogen impairments of the receiving stream.

Suspended solids/turbidity/siltation

As per the TMDL for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin, point source loads are so small as to be insignificant, no specific reductions from point sources are required. In addition, once through non-contact cooling water discharges from this facility do not have the potential to discharge pollutants that may contribute to the suspended solids impairment of the receiving stream.

Pathogen Indicators

Per The Vermilion River Fecal Coliform TMDL, there will be no change in the permit requirements based upon a wasteload allocation resulting from this TMDL. There is no sanitary discharge, and no potential to discharge levels of fecal coliform that would cause receiving water impairment for pathogen indicators. Therefore, no fecal coliform limits are established in this permit.

Phosphorus

As per the February 29, 2000 Delist (Federal Register Notice: Vol. 65, Num. 173, pages 54032 54034, 9/6/2000), assessment of new data and information shows this segment is meeting water quality standards for Phosphorus. Therefore, requirements for total phosphorus were not included in this permit.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

Summary of Proposed Changes From the Current LPDES Permit: None

7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

No records of recent compliance actions were found.

B. DMR Review/Excursions - DMRs were reviewed from March 2006 to March 2008. There were no excursions.

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8. EXISTING EFFLUENT LIMITS

Outfall 001

Flow	Report:Report	1/month
Net TOC	--:5 mg/L	1/month
Temperature	--:Report	1/month
pH Min/Max	6-9	1/month

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 060802 of the Vermilion-Teche River Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

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Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

13. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2341.A.1, "...discharges composed entirely of storm water shall not be required to obtain an LPDES permit except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14, facilities classified as SIC codes 2099 are considered to have stormwater discharges associated with industrial activity.

The SWP3 shall be prepared, implemented, and maintained within (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in the storm water discharges associated with industrial activity at the facility (see Narrative Requirements for the AI).

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Rationale for Creole Fermentation Industries, Inc.

1. Outfall 001 - once through non-contact cooling water (*1)
 (estimated flow is 720,000 gpd)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Daily Max (mg/l)	<u>Reference</u>
Flow	Report: Report	previous permit
TOC (*2)	---: 5	previous permit
Temperature	---: Report (*3, *4)	previous permit; LAG480000 Schedule E
pH	6.0 - 9.0 su	previous permit

Treatment: none

Monitoring Frequency: 1/month at the point of discharge from the effluent pipe

Limits Justification: limits are based on the previous permit, BPJ and the Light Commercial General Permit, LAG480000, Schedule E

(*1) The use of any additives or corrosion inhibitors containing any of the 126 priority pollutants is prohibited.

(*2) TOC: The difference between the TOC concentration of the once through non-contact cooling water system intake, and the TOC concentration of the once through non-contact cooling water system effluent shall not exceed 5 mg/L. Concurrent sampling of the cooling water system intake and effluent is required.

(*3) Instantaneous Maximum

(*4) Analyze immediately.

su Standard Units

BPJ Best Professional Judgment

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.